Secl. II-27—80,000—4-1-52.

Home (1952) Department

RL- SERIES.

G.O. NO. 2428

Dated 19.8.52

FOR MYSORE STATE

[Despatch Abstract.]

Bangalore
19.8.52

R.C 38- 1958/58. S.P.Dt Magistrate's office,
Mangalore dated 5-6-1958.

From

Sri A.T. Balaratnam B.A.,
District Magistrate of South Kanara,
Mangalore.

To

The Secretary to Government,
Home Department, Fort St George,
Madras 9

114580
27.6

Sir,

MAGISTRATES: Honorary: I class Bench Court, Mangalore
Members-Appointment-

Ref: G.O.No 1993 Home dated 18-7-50.

******

The terms of the Hon. Magistrates of the I class Bench Court, Mangalore will expire on 18-7-1958. The sanctioned strength of this Bench Court is 12. I enclose applications in respect of the following persons for appointment as Honorary Magistrates.

1. Sri S.Shankara Alva.
2. Sri Chennappa V.Attavar.
3. Sri P.G.Bhaya
4. Sri P.Aitharpa Bhandary
5. Sri Baikampady Panduranga
6. Janab M.Bunhammu
7. Sri Erhardt Maben
8. ~~Srimathi I.Fernandes~~ Alice D'Souza
9. Sri H.Krishnappa Thingalaya
10. Sri Barakada Ramanna Shetty
11. Sri P.V.Pinto
12. Sri M.Chinnayya

I could not submit these proposals earlier as the terms of the non official members of the selection committee had expired and the question of reappointing them was under consideration by the Government. The system of appointment of Hon.Magistrates on the recommendation of the Selection Committees was discontinued recently in G.O.Ms No 2062 Home dated 7-6-1958. The persons recommended by me may be appointed as Hon. Magistrates for a period of 3 years from 18-7-1958.

Yours faithfully

for District Magistrate.

dt 25-6-58
Encs: 12.

1/3

Ref.C.No. ~~1845/52-Jxx~~ 1205/52 B

Application for the appointment of an Hon. Magistrate for the 1st class Bench Court Mangalore in the District of South Kanara.

---

1. Name of the town;	Mangalore.
2. Name of the nominee-in full:	Sri S.Shankara Alva
3. His qualifications:	B.Sc(Edin) Retired Chief Forest Officer, Jeypore State.
4. (1) Cause of vacancy or vacancies.	The term of the Hon Magistrates appointed in G.O.No 1993 Home dated 18-7-1950 will expire on 18-7-52.
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri S.Shankara Alva . withdrawal of his powers is not necessary
5. Number and date of the Notification appointing him.	G.O.No 654 Home dated 24-2-49 read with G.O.No 1993 Home dated 18-7-1950.
6. Remarks.	He is not a member of any municipal council or local body. He may be invested with all the ordinary powers of a I class Magistrate with a view to reappoint him as the President of the Bench Court.

South Kanara Dt.Magistrate's Office, Mangalore, dated 23-6-52)

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

Ref.C.No. ~~1845/52-03~~ 1905/53-B

Application for the appointment of an Honorary Magistrate for the I Class Bench Court Mangalore in the District of South Kanara.

---

1. Name of the town;	Mangalore
2. Name of the nominee in full:	Sri Chennappa V.Attavar.
3. His qualifications:	B.A. Landlord
4. (1) Cause of vacancy or vacancies.	His term will expire on 16-7-53
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri Chennappa V.Attavar withdrawal of his powers is not necessary
5. Number and date of the Notification appointing him.	He was invested with I class powers in G.O.No. 2335 Home dated 23-8-51.
6. Remarks.	He is not a member of any local body or municipal council. He is at present one of the Vice Presidents of the Bench Court. He may be invested with all the ordinary powers of I class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-1953

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

Ref.C.No. 1845/52-C1 1[illegible] -53

Application for the appointment of a [illegible] agistrate for the I class Bench Court Mangalore in the District of South Kanara.

---

1. Name of the town;	Mangalor
2. Name of the nominee in full:	Sri R.G.Ubhaya Up [illegible]
3. His qualifications:	Landlord
4. (1) Cause of vacancy or vacancies.	His term expires on 1[illegible]-7-53
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri [illegible].G.Ubhaya withdrawal of his powers is not necessary
5. Number and date of the Notification appointing him.	[illegible] 1941 [illegible] me dated 16-[illegible]-[illegible]. (D)
6. Remarks.	He is not a member of any local [illegible] or municipal council. At present he is one of the Vice Presidents of the Bench Court. He may be invested with all the powers of a I class Magistrate with a view to reappoint him as Vice President.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-53

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

Ref.C.No. ~~1845/52-C3.~~ 1365/52/ C3

Application for the appointment of an Honorary Magistrate for the I / Class Bench Court Mangalore in the District of South Kanara.

---

1. Name of ~~the town~~:	Mangalore
2. Name of the nominee in full:	Sri K.Aithappa Bandary 46 years
3. His qualifications:	Landlord
4. (1) Cause of vacancy or vacancies.	The term of Hon.Magistrates appointed in G.O.No 1993 Home dated 19-7-50 will expire on 1-7-52.
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri K.Aithappa Bandary withdrawal of his powers is not necessary.
5. Number and date of the Notification appointing him.	G.O.No 653 Home dated 24-3-49 read with G.O.No 1993 Home dated 19-7-50
6. Remark.	He is not a member of any Municipal council or local body. He may be invested with all the ordinary powers of a III class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-1952.)

25.6.52

For District Magistr

To

The Secretary to Government,
Home Department, Madras.

Ref.C.No. ~~1845/52-C3~~ 1205/52/C3

Application for the appointment of an Hon Magistrate for the I ClassBench Court Mangalore in the District of South Kanara.

Name of the town:	Mangalore	
2. Name of the nominee in full:	Sri Baikampady Panduranga	51 years
3. His qualifications:	B.A.Landlord	
4. (1) Cause of vacancy or vacancies:	The term of the Hon.Magistrates appointed in G.O.No.653 Home dated 24.2.49 read with G.O.No.1993 Home dated 19.7.50 will expire on 18.7.1952.	
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri Baikampady Panduranga withdrawal of his powers is not neaessary	
5. Number and date of the Notification appointing him.	He was appointed in G.O.No.653 Home dated 24--2--49 and G.O.No 1993 Home dated 19-7-50	
6. Remarks.	Sri B.Randuranga is not a member of any municipal Council or local body. He may be invested with all the ordinary powers of a III Class Magistrate.	

South Kanara Dt.Magistrate's Office, Mangalore, dated 25.6.52

For District Magistrate

To

The Secretary to Government
Home Department, Madras
SR/26-6

Ref.C.No. ~~1845/52-C3.~~ 1205/52/C3

Application for the appointment of an Hon.Magistrate for the I Class Bench Court Mangalore in the District of South Kanara.

1.	Name of ~~the town~~:	Mangalore
2.	Name of the nominee in full:	Janab M.Kunhammu 59 years
3.	His qualifications:	Land lord
4	(1) Cause of vacancy or vacancies.	His term will expire on 18.7.52.
	(2) Name or existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Janab M.Kunhammu withdrawal of his powers is not necessary.
5	Number and date of the Notification appointing him.	He was appointed in G.O.No.653 Home dated 27.2.49 read with G.O.No.1993 Home dated 19.7.502.
6.	Remarks.	He is not a member of any local body or Municipal Council. He may be invested with all the ordinary powers of a III Class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-62

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

Ref.C.No. ~~1845/52-C3.~~ 1205/52/C3

Application for the appointment of an Hon. Magistrate for the I Class Bench Court Mangalore in the District of South Kanara.

1	Name of the town:	Mangalore
2.	Name of the nominee in full:	Sri Erkirdt Maben 46 years
3.	His qualifications:	Land lord and Merchant
4	(1) Cause of vacancy or vacancies.	His term will expire on 18.7.52
	(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri Ebbard Maben withdrawal of his powers is not necessary.
5.	Number and date of the Notification appointing him.	He was appointed in G.O.No.653 Home dated 24.2.49 read with G.O.No.1993 Home dated 19.7.52.
6.	Remarks.	He is not a member of any local body or Municipal council He may be invested with all the ordinary powers of a III Class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-52.

for District Magistrate

To

The Secretary to Government, Home Department, Madras.

Ref.C.No. ~~1845/52-C3~~ 1205/52/C3

17

Application for the appointment of an Hon. Magistrate for the I Class Bench Court, Mangalore in the District of South Kanara

1. Name of the town:	Mangalore
2. Name of the nominee in full:	Srimathi L.Fernandes
3. Her qualifications:	Wife of Sri P.P.Fernandes M.B B.S.Rtd. Dt.Medical Officer.
4. (1) Cause or vacancy or vacancies.	Her term will expire on 18.7.52.
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Srimathi L.Fernandes withdrawal of her powers is not necessary.
Number and date of the Notification appointing him.	She was appointed in G.O.2948 Home dated 25.10.49 read with G.O.No.1993 Home dated 19.7.50.
5. Remarks.	She is not a member of any local body or municipal Council. She may be invested with all the ordinary powers of a III Class Magistrate M.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-6-52.

for District Magistrate

To

The Secretary to Government,
Home Department, Madras.

19

Rej.C.No. ~~1045/52-C3~~ 1205/52-C3.

Application for the appointment of an Hon. Magistrate for the I Class Bench Court Mangalore in the District of South Kanara.

1.	Name of the town:	Mangalore.
2.	Name of the nominee in full:	Sri H.Krishnappa Thingalaya. 50 years
3	His qualifications:	Merchant.
4	(1) Cause of vacancy or vacancies.	His term will expire on 18.7.52.
	(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri H.Krishnappa Thingalaya. Withdrawal of his powers is not necessary.
5	Number and date of the Notification appointing him.	G.O.No.653 Home dated 24.2.49 read with G.O.No.1993 Home dated 19.7.50.
6.	Remarks.	He is not a member of any local body or Municipal Council. He may be invested with all the ordinary powers of a III Class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25.6.52

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

Ref. C. No. ~~1845/52-C3.~~ 1205/52-C3.

Application for the appointment of an Hon. Magistrate for the I Class Bench Court, Mangalore in the District of South Kanara.

1. Name of the town:	Mangalore.
2. Name of the nomin full:	Sri Marakada Ramanna Shetty. 29 years
3. His qualifications:	S.S.L.C. Landlord.
4. (1) Cause of vacancy or vacancies	His term will expire on 18.7.52
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri Marakada Ramanna Shetty. Withdrawal of his powers is not necessary.
5. Number and date of the Notification appointing him.	He was appointed in G.O.No.840 Home dated 15.3.52.
6. Remarks.	He is not a member of any Municipal Council or local body. He may be invested with all the ordinary powers of the a III Class Magistrate

South Kanara Dt. Magistrate's Office, Mangalore, dated 25.6.52.

For District Magistrate

To

The Secretary to Government,
Home Department, Madras.

23

Ref. C. No. ~~1845/52-C3.~~ 1205/52-C3

Application for the appointment of an Hon. Magistrate for the I Class Bench Court at Mangalore in the District of South Kanara.

1. Name of the town:	Mangalore.
2. Name of the nominee in full:	Sri H.C.Pinto. — 36 years. not a practising lawyer of 29 Mfm
3. His qualifications:	B.A.B.L. Landlord. 36 years
4. (1) Cause of vacancy or vacancies.	The term of the Hon. Magistrate's appointed in G.O.No.1993/Home dated 19.7.50 will expire on 18.7.52. (D) 22.9.5
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri K.Srinivasa Ballal. His powers invested in G.O.No.653 Home dated 24.2.49, read with G.O.No.1993 Home dated 19.7.50 may be withdrawan. (D) 22.9.5
5. Number and date of the Notification appointing him.	31.8.5 (Y)
6. Remarks.	Sri H.C.Pinto is not a member of any Municipal council or local body. He has been newly proposed for nomination. He may be invested with all the ordinary powers of a III Class Magistrate.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25.6.52.

For District Magistrate 25/6

To

The Secretary to Government,
Home Department, Madras.

3/3

25/6

Ref. C. No. ~~1845/52-C3.~~ 1205/52-C3

Application for the appointment of an Hon. Magistrate for the I Class Bench Court Mangalore in the District of South Kanara.

---

1. Name of the town: Mangalore.

2. Name of the nominee in full: Sri M.Chinnayya

56 years — P 29 mk

3. His qualifications: S.S.L.C. holder, Retired Sheristedar of the Sub Court Mangalore.

4. (1) Cause of vacancy or vacancies. The term of the Hon. Magistrates appointed in G.O.No.1993 Home dated 19.7.50 will expire on 18.7.52.

(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary. Sri M.Lobo. His powers may be withdrawa

5. Number and date of the Notification appointing him. Sri M.Lobo was appointed in G.O.No.653 Home dated 24.2.49 and G.O.No.1993 Home dated 19.7.50

6. Remarks Sri M.Chinnayya is not a member of any local body or Municipal council. He may be invested with all the ordinary powers of a III Class Magistrate.

For District Magistrate

South Kanara Dt. Magistrate's Office, Mangalore, dated 25-6-52.

To

The Secretary to Government,
Home Department, Madras.

SPECIAL

HOME DEPARTMENT.

Memo No 11453'9 Cls II/52-2 dated 5.7.52

MAGISTRATES. Honorary - South Kanara district - Mangalore Bench court - Fresh proposals.

Ref: From the D.M., South Kanara, Rlf C3-1205/52 dt. 26.6.52.

The D.M., South Kanara is requested to report, not later than 12.7.52, the age of the nominees recommended for appointment as honorary magistrates to the First Class Bench Court, Mangalore.

2. It is reported that Sri. H.C. Pinto newly recommended for appointment as hony magte is a B.A. B.L.. It is presumed that he is not a practising lawyer. The D.M. is requested to confirm the above presumption

5.7.1952

To
The D.M. South Kanara
(RO. 13.7.52)

Ref.C3.1205/52

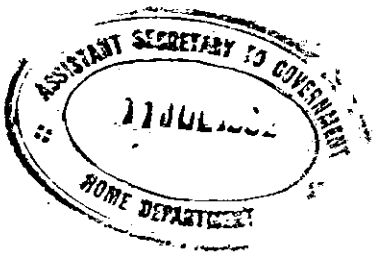
South Kanara Dt.Magistrate's Office
Mangalore dated 9----7----1952.

From

Sri A. R. Rajaratnam, B.A.,
Dt.Magistrate of S.Kanara.

To

The Secretary to Government,
Home Department,
Fort St.George,
Madras-9.



125261

Sir,

MAGISTRATES -- Honorary I Class Bench Court Mangalore Fresh Proposals.

Ref: Govt.Memo.No.114559/Courts/II/52-2 dated 5.7.52.

I furnish below the age of the nominees recommended for appointment as Honorary Magistrates to the 1st Class Bench Court Mangalore.

1.	Sri S.Shanker Alva	59 years
2.	Sri C.V.Attavar	50 years
3.	Sri R.G.Ubbaya	46 years
4.	Sri E.Maben	46 years
5.	Sri K.A.Bhandary	46 years
6.	Srimathi Lilly Fernandes	52 years
7.	Sri M.Ramanna Shetty	59 years
8.	Sri Pandurànga	51 years
9.	Sri H.K.Thingalaya	50 years
10.	Janab Haji M.Kunham Sahib	59 years
11.	Sri M.Chinnaya	56 years
12.	Sri H.C.Pinto	36 years

Sri H.C.Pinto is not a practising Lawyer. He is a Tile factory owner and a merchant

Yours faithfully

For Dt.Magistrate.

S /9-7

Home Dept

Confidential

IMMEDIATE

Memo no. 114559 CS.II/52-3 dated 12.7.52

Magres. Stony South Kanara district Mangalore bench court Shankara Alva, Sri. S Reappointment as President Proposal

Ref: Correspondence resting with the letter from the D.M., South Kanara, Ref C3.1205/52 dated 9.7.52.

p29 cf

The attention of the D.M. South Kanara is invited to the recommended the reappointment of Sri. S. Sankara Alva as the President of the Mangalore bench court. His attention p3 cf is in this connection, invited to para 5 of his letter Ref. p184 vide ff C.no. 10673/49-MHC dated 16.8.51, wherein he has stated p 76-79 cf that there could be no doubt that it was the lamentable lack of suitable supervision by the President (Sri. Shankara Alva) and Vice President that led to the misappropriation by the clerk, of the fine amounts in the Bench Court, Mangalore. The D.M is requested to state not later than 15.7.52.

3/52

Now
Government in the circumstances, he considers it
appropriate to reappoint Sri. Shankara Alva as Honorary Magistrate &
~~President~~ of the bench court.

12.7.52 12.7.1952 3/0 12/7/52

12/7/52 1/6040 The D.M. South Kanara.

12/7/52 12/7/52 (RD. 16.7.52)

INVEST WISELY
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INDIAN POSTS AND TELEGRAPHS DEPARTMENT

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		17			

TO

Recd. there at ——— H. ——— M.

0 RD MANGALORE KNA 16 STE 26 MADRASHOME MADRAS

REFERENCE MY C31205/52 25TH JUNE BENCH COURT MANGALORE

TERM MEMBERS EXPIRES EIGHTEENTH JULY REQUEST EXTENSION

TERM BY ONE MONTH : DISTRICT MAGISTRATE

N. B:—(1) The name of the Sender, if telegraphed, should be written after, but separated from the text

(2) Any complaint in respect of this Telegram may be accompanied by the delivered copy.

Victoria Press, Vellore—Ptg/C Bks. 95,000 D 3—5—52

"MADRASHOME" 11-17.30 HRS.W/D.
SECRETARY HOME DEPARTMENT,
FORT SAINT GEORGE, MADRAS
O.H.S.H.
T.SRIKUMARA PANICKAR,
ACTING ASSISTANT SECRETARY TO
GOVERNMENT, HOME DEPARTMENT.
42-D,SHENOYNAGAR,AMINJIKARAI,KILPAUK

26 /

35

GOVERNMENT OF MADRAS
Abstract
***

Magistrates - Honorary - South Kanara District - Mangalore Bench Court - Extension of term by one month - Ordered.

Home Department

G.O. Ms. No. 2588 Dated 17th July 1952.
Read the following:-

G.O. R. No. 1993, Home, dated 19.7.50.
G.O. R. No. 2335, Home, dated 23.8.51.
G.O. R. No. 840, Home, dated 15.3.52.
G.O. R. No. 1241, Home, dated 16.4.52.
From the District Magistrate, South Kanara, telegram, dated 16.7.52.

ORDER:

The Government accept the proposal of the D istrict Magistrate, South Kanara that the term of the existing members of the Bench Court, Mangalore may be extended by one month.

2. In supersession of paragraph 2 of each of the G.Os. cited, the Special Magistrates are informed that their appointment as Special Magistrates will be up to 18.8.1952.

(By order of the Governor of Madras)

V. HANUMANTA RAO,
Joint Secretary to Government.

To the District Magistrate, South Kanara.
" Special Magistrates, through the District Magistrate, South Kanara.

(True copy)

Superintendent

of.Cr.1205/52. S. anara Dt.Magistrat 's of ice
engalore dated 14.7.1952. 37

From To

SRI A.[illegible] AT A[illegible],
Dt. agistrate of South anara. The Secretary to Government
Home Department,
Fort St. George, Madras.

Sir,

Sub: MAGIS BA S: South anara district-- onorary I class enc court
lore--r signation o Mrs.A. Fernandes--r port.

Ref: My report [illegible]of.Cr.1205/52 dated [illegible].7.52, 8.7.52 and [illegible].7.52.
G.Government [illegible].114859 Courts IV/52-9 dated 8.7.52.

I enclose a letter of r signation sent by Mrs L.Fernandes Hon.
Magistrate I class Henc. court [illegible]e. The resignation may be
accepted. In view of her state ent that her health does not permit
her to continue on the bench, I request that she may not be re-
appointed as onorary Magistrate as recommendddd by me already. I shall
submit [illegible]ese proposals for the appointment of a substitute.

Yours faithfully,

for Dt. Magistrate.

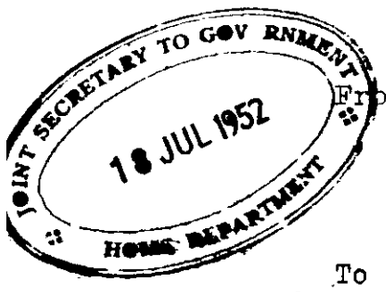
[illegible]/15.7.52.

34

Confidential.

Ref.C3.1205/52-

Office of the District Magistrate
of South Kanara, Mangalore,
Dated 16th July, 1952.



From

Sri A.R.Rajaratnam, B.A.,
Collector of South Kanara,
Mangalore.

To

The Secretary to Government
Home Department,
Fort St.George,
Madras 9.

Received in a
some cover
by Registered post
Bdno
Sir/18/7/52

131059
18/7/52

SUB: MAGISTRATES - Honorary - South Kanara District - Mangalore Bench Court - Shankara Alva, Sri S - Reappointment as President - Proposal.

.....

Ref: Government Memo No.114559/ Courts,II/52-3 dated 1227-1952.

.....

It is true that the misappropriation in the Bench Court was facilitated by lack of supervision by the President Sri S.Shankara Alva. But I find that at that time he was busy with civil litigation in connection with the management of his family properties, and that he was too worried and too much occupied with his private affairs to attend to the supervision of the work of the clerk. He is a hardworking person with plenty of grit and the Bench Court, at Mangalore which is very heavy Court is working satisfactorily chiefly on account of him. The misappropriation in the Bench Court took place between July and October, 1949. Subsequently my predecessor recommended the reappointment of Sri S.Shankara Alva as Hon.Magistrate in the same Bench Court and he was reappointed by Government in G.O. No.1993, Home dated 19-7-50. During this period his work has been satisfactory. There is, therefore, no objection to his reappointment for another term.

Yours faithfully,

16/7/52

Dt.Magistrate, S.K.

R f. J3.1205/52

South Kanara Dt.Magistrate's Office
Mangalore dated 13----7----1952.

From
Sri A.V. Rajagopalam, B.A.,
Dt.Magistrate of South Kanara

To
The Secretary to Government,
Home Department, Fort St.George,
MADRAS

Sir,

Madras - South Kanara District - Hon.I Class Bench Court Mangalore - Resignation of Mrs.L.Fernandes - Report.

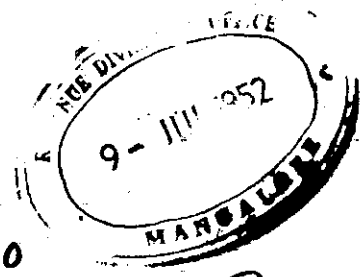
Ref:-My letter f. J3.1205/52 dated 14.7.52.

The letter of resignation sent by Mrs.L.Fernandes which was enclosure to my letter cited is enclosed.

Yours faithfully

For Dt.Magistrate.

/18-7



1 Exmoor.
Falnir
Mangalore
July 8. 52

To

The President
Bench Court.

Sir.

Kindly accept my resignation from the bench court from the 9th instant as my health does not permit me to continue in the same -

C. 5722 52

Yours faithfully
Lelita Fernandes

152083
21.7.52

To be forwarded to the District Magistrate through the President

N. Dis 70/52

Submitted to the District magistrate. S. Kanara through the Sub Divl. magistrate. Mangalore

N. Dis 5722/52.

Submitted to the District Magistrate

S Shankar Rao
8/7/52 President

(2)

S. Kanan.

I think this I shall send up N. R. Rm
& any one candidate who will be
serve on N Bench.

9.7.12

S.D.M

of C.S. 1965/52 District Magistrate's Office Mangalore dated 16-7-52.

45

From

Sri A.I. Maharatnam B.A.,
District Magistrate of South Kanara,
Mangalore

To

The Secretary to Government,
Home Department,
Fort St George,
Madras 9.

ASSISTANT SECRETARY
21 JUL

Sir,

MAGISTRATES: Honorary - I class Bench Court Mangalore- Reappointment -Report-

Ref: Correspondence ending with Govt memo No 11459/Court I1/52-2 dated 5-7-1952.

*****

The term of the Hon Magistrates of I class Bench court Mangalore appointed in G.O. No 1793 Home dated 19-7-50 in G.O. No 1993 Home dated 19-7-50 will expire on 19-7-52. I have not yet received orders on my proposals for appointment of Hon Magistrates submitted in my Ref CS. 1205/52 dated 5-6-52. As the filing of cases in this court is heavy, the work of this court will suffer if it ceases to function even for a short period. I therefore request that the term of the existing members may be extended by one month until final orders are passed by Government in the matter.

Yours faithfully

for District Magistrate.

(C. No. 114559 Cts.II/52)

"CONFIDENTIAL"
Very Urgent.

Home Department

Memo. No. 114559 CS.II 52-5 d/ 2.8.52

Magistrates - Honorary - South Kanara Dt. - Mangalore Bench Court - Members - Appointment.

Ref: Correspondence resting with the letter from the D.M., South Kanara, Confdl. Ref.C3.1205/52, d/16.7.52.

The Govt. accept the proposals of the D.M., South Kanara for appointment of Hony. Magistrates to the First Class Bench Court, Mangalore except Sri Shankara Alva who has been recommended for reappointment as President. Orders appointing the persons as Hony. Magistrates will be issued on 19.8.52 as the term of the existing members extended in G.O. Ms. No. 2588, Home, d/17.7.52 exists up to 18.8.52.

2. The D.M. is requested to obtain the consent of Sri K.P.G. Prabhu, Light House Hill, Mangalore for appointment as the President of the Mangalore Bench Court

and to submit proposals to Govt. in the prescribed form not later than 15.8.52.

To the D.M., South Kanara

(R.D. 16.8.52.)

Confidential.
Ref.C.No.C3.1205/52.

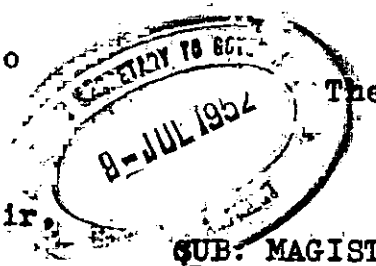
Office of the District Magistrate
of South Kanara, Mangalore,
Dated 7th August, 52.

From

Sri C.A.Ramakrishnan, I.C.S.,
District Magistrate of South Kanara,
Mangalore.

To

The Joint Secretary to Government,
Home Department, Fort St.George,
Madras 9.



Sir,

SUB: MAGISTRATES' - Honorary - South Kanara District - Mangalore Bench Court - members - Appointment.

....

Ref: Government Home Department, Memo.No.14559, Courts II/52-5, dated 2--8--1952.

.....

146201

Sri K.P.J.Prabhu whom I consulted, states that he is not prepared to accept the appointment as the President of the Bench Court, Mangalore as he will be out of the District often and as he has a lot of his own private work to attend to. Hence the question of submitting his consent statement does not arise.

Yours faithfully,

7.8.52

Dt.Magistrate,S.K.

Ukk/

HOME DEPARTMENT

Confidential

Memo No. 14559 Ch II/52.6 dated 12.8.52

Magistrates Honorary South Kanara district Mangalore Bench Court Fresh proposals.

Ref: from the D.M. South Kanara, Ref. C.No. C3. 1205/52 dated 7.8.52

The D.M. South Kanara is requested to submit at an early date, proposals for appointment of some other suitable person as the President of the Mangalore Bench court in the place of Sri Shankara Alva.

11.8.1952

To
The D.M. South Kanara
(By. 28.8.52)

3,002—20-1-49.

GOVERNMENT OF MADRAS

ABSTRACT.

MAGISTRATES—Honorary— SOUTH KANARA district - MANGALORE Bench Court,— Members - District— Appointed

~~Appointment for two years from 1st February 1949.~~
~~Notification Issued.~~

Home Department.

G.O.R. No. 2428 Dated 19/8/52

Read—the following:— GOR. 1993 Home dated 19.7.50 / " 2335 " " 23.8.51 / " 840 " " 15.3.52. / GoR 1241 Home dj. 16.4.52. / Goms 2588 Home dj. 17.7.52

From the District Magistrate, South Kanara, Ref C3-1205/52 dj. 25.6.52 and 7.8.52

ORDER.

The following notification will be published in the *Fort St. George Gazette*:—

Notification.

In exercise of the powers conferred by sub-section (1) of section 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), ~~His Excellency~~ the Governor of Madras hereby confers on the undermentioned persons all the ordinary powers of a Magistrate of the First class and directs that they shall sit as members of the Bench of Magistrates established at the places specified against their names for the trial of the offences specified in, and subject to the provisions of, Home (Judicial) Department Notification No. 737, dated the 13th August 1919, published at pages 1040 and 1041 of Part I of the *Fort St. George Gazette*, dated the 26th August 1919, as subsequently amended, and arising within the limits of the jurisdiction of the Bench:-

Sri. CHENNAPPA V. ATTAVAR. } MANGALORE in the
Sri. R.G. UBHAYA } district of South Kanara.

II

In exercise of the powers conferred by sub-section (1) of Section 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), ~~His Excellency~~ the Governor of Madras hereby confers on the undermentioned persons all the ordinary powers of a Magistrate of the third class and directs that they shall sit as members of the Bench of Magistrates established at the place specified against their names for the trial of the offences specified in, and subject to the provisions of, Home (Judicial) Department Notification No.737, dated the 13th August 1919, published at pages 1040 and 1041 of Part I of the Fort St. George Gazette, dated the 26th August 1919, as subsequently amended and arising within the limits of the jurisdiction of the Bench.

Sri. K. AITHAPPA BHANDARY
Sri. BAIKAMPADI PANDURANGA (Request withdrawn)
Mr. M. KUNHAMMU.
Sri. ERHARDT MABEN.
Sri. H. KRISHNAPPA THINGALAYA.
Sri. MARAKADA RAMANNA SHETTY
Sri. H. C PINTO.
Sri. M. CHINNAYYA.

} MANGALORE in the district of SOUTH KANARA

[P.T.O.

I 885-1268-27.852

IV 887 " "

The attention of the Special Magistrates is invited to

2. In ~~modification of~~ the Home Department Notification No. 337, dated the 27th February 1939, published at page 324 of Part I of the *Fort St. George Gezette*, dated the 14th March 1939, ~~the Special Magistrates~~ are informed that their appointment as Special Magistrates is for ~~the~~ period ~~from the 1st February 1949 to the 31st January 1951 or up to such earlier date as the Government may decide in future.~~ two years from the date of this order.

(By order of ~~His Excellency~~ the Governor)

19.852

19.852

19.8852

~~Deputy~~ Secretary to Government.

To the District Magistrate, South Kanara

" Superintendent, Government Press, for publication of the notification in the *Fort St. George Gezette*, Madras,

" Special Magistrates through the District Magistrate, South Kanara

Copy to the Public Works (Information and Publicity) Department.

~~Forwarded~~

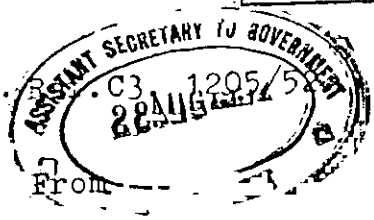
~~(By order.)~~

10 copies

Spl 13 Copies

~~Superintendent.~~

Confidential



South Kanara District Magistrate's Office, Mangalore, dated 25-8-1952.

From

Sri. C. A. Ramakrishnan, I.C.S.,
Collector of South Kanara.

To

The Secretary to Government,
Home Department, Fort.St.George,
M a d r a s- 9.

Sir,

Sub:- Magistrates - Honorary - South Kanara District I Class Bench Court, Mangalore - appointment of president - Proposals - submitted.

Ref:- Government (confidential) Memo No.114559/Courts II /52-6 dated 12-8-1952.

--:o:--

I enclose a report in the prescribed form proposing Sri. Pejavar Vyasa Rao, B.A., M.L., in place of Sri. S.Shankar Alva as Honorary Magistrate for the I Class Bench Court, Mangalore Sri.P.Vyasa Rao is now Honorary Special I Class Magistrate, Mangalore sitting singly, and was last appointed and invested with I Class Powers in G.O.Ms. 518 Home dated 8-2-1951.

Though he is 68 years old he is still energetic and active, and does not look his age. He has to sit only for two days in a week as Special I Class Magistrate and he is willing to sit for one or two days more in a week as president of the Bench court Mangalore if appointed. He is a B.A., M.L., and has got good experience in criminal work. He has worked as a Bench clerk in the High Court before his appointment as District Munsiff. He is not a member of any local Board or Municipality. I am of the view that he is a suitable person to be appointed as President of the I Class Bench Court, Mangalore. He is willing to accept the post. I recommend he may be appointed President.

Yours faithfully,

For Dt.Magistrate.

kvr-26-8-1952.

Ref. C. No. ~~1845/52-C3.~~ 1205/52-C3.

Application for the appointment of Honorary Magistrate for the I class Bench Court Mangalore in the District of South Kanara.

---

1. Name of the town:	Mangalore.
2. Name of the nominee in full:	Sri Pejavar Vyasa Rao.
3. His qualifications:	B.A.M.L. Retired Dt.Munsif.
4. (1) Cause or vacancy or vacancies.	The term of the President I class Bench Court Mangalore expired on 18-8-1952
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	Sri S.Shanker Alva, Proposals are submitted as required in Government confidential memo No 114559/courts II/52 dated 12-8-52
5. Number and date of the Notification appointing him.	G.O.Rt. 1993 Home dated 19-7-50, and G.O. Ms No 2588 Home dated 18-7-52
6. ~~Remarks.~~ Age	68 years.
7. Remarks.	He is now Hon.Special I class Magistrate, Mangalore sitting singly. He was last appointed and invested with I class Powers in G.O.Ms 518 Home dated 8-2-51. He may be revested with all the ordinary powers of a Class Magistrate be appointed as the President of the II class Bench court Mangalore.

South Kanara Dt.Magistrate's Office, Mangalore, dated 25-8-52)

For District Magistrate

To

~~The Secretary to the Government,~~

The Secretary to Government,
Home Department, Madras.

(C.No. 114559 Court II/52) MAGISTRATES. Honorary - SOUTH KANARA Bench Court - Mangalore Bench Court - Fresh proposals.

p1 cf — From the D.M., South Kanara, Ref C3-1205/52 dated 25.6.52
p27 cf — (Issued as Memo. No. 114559 Ct. II/52-2 Home dt. 5.7.52)
p29 cf — From the D.M., South Kanara, Ref C3.1205/52 dated 9.7.52.

The D.M. South Kanara has submitted fresh proposals in regard to the First class bench court, Mangalore. The term of the existing members appointed in GoRt. 1993 Home dated 19.7.50 expires on 18.7.52. (pp 3-25 cf. / B/p27 cf.)

2. The proposals of the D.M. are examined below:

Strength of the bench court. 12. (cf Memo p1 cf of B)

The names of the existing members and of those now recommended are as follows.

Existing Members. (1)	Now recommended (2)
1. Sri. S. SHANKARA ALVA. (President) (p32 cf (V))	1. Sri. S. SHANKARA ALVA (President) (p3 cf)
2. Sri. CHENNAPPA V. ATTAVAR (Vice-President) (p5 of (V))	2. Sri. CHENNAPPA V. ATTAVAR (Vice-Presidents) (p5 cf)
3. Sri. R. G. UBHAYA. (Vice-President) (p7 of (D))	3. Sri. R.G. UBHAYA (Vice-President) (p7 cf)
4. Sri. K. AITHAPPA BHANDARY. (Member) (removed)	4. Sri. K. AITHAPPA BHANDARY (p9 cf)
5. Sri. K. BAIKAMPADI PANDURANGA (do)	5. Sri. K. BAIKAMPADI PANDURANGA (p11 cf)
6. Janab. M. KUNHAMMU. (do) (p31 of (Y))	6. Janab. M. KUNHAMMU. (p13 cf)
7. Mr. ERHARDT MABEN. (do)	7. Sri. ERHARDT MABEN. (p15 cf)
8. Sri. H. KRISHNA (PPA) THINGALAYA. (do)	8. Sri. H. KRISHNA (PPA) THINGALAYA. (p19 cf)
9. Sri. MARAKADA RAMANNA SHETTY (do) (p31 of (Y))	9. Sri. MARAKADA RAMANNA SHETTY. (p21 cf)
10. Sri. K. SRINIVASA BALLAL. (do)	10. Sri. H. C. PINTO. (p23 cf)
11. Sri. M. LOBO (do)	11. Sri. M. CHINNAYYA (p15 cf)
12. Srimathi. L. FERNANDEZ. (do) (p7 of (W))	12. ~~Srimathi. L. FERNANDEZ.~~ (Proposals awaited) since received. (p17 cf)

The D.M. proposes to re-appoint Sri. S. Shankara Alva as the President and Sri. Chennappa V. Attavar and Sri. R.G. Ubhaya as Vice Presidents of (p2 cf / ps+7 cf)

the bench court and recommends that they may be invested with first class powers. Sri. H.C. Pinto and Sri. M. Chinnayya (items (10) and (11) in Col (2) are plaintiffs) are the two new members who have now been recommended for appointment as members. Particulars regarding them are given at pp 23 & 25 cf.

3. With reference to the D.M's proposal to reappoint Sri. Sankara Alva as President of the Bench Court, Mangalore, it is submitted that in connection with misappropriation of fine amounts by the clerk of that Bench court to the extent of Rs 1,521-14-0, the D.M. reported that there could be no doubt that it was a lamentable lack of supervision by the President of the bench court (Sri. Shankara Alva) and the Vice President (Sri. Venkatesh Rai, who has since expired) that led to the misappropriation. The D.M. has also suggested that the amount of Rs 738-12-9 for which the President was found to be responsible may be written off on consideration of the facts that there was no reason to believe that he was in conspiracy with the clerk and the work is done by the President as an honorary worker relieving the stipendiary magistrates of a lot of work. The question whether a suit can be filed to recover the amount from the President is under the consideration of the Govt. In the circumstances, it is not clear how the D.M. has recommended the reappointment of Sri. Shankara Alva as President of the bench court. For orders whether the D.M's attention may be drawn to para 5 of his letter dated 16.8.51 and he may be asked to state, not later than 15.7.52, how he considers it appropriate in the

Cno 3084 Ch

Cp B, p78 cf

Cp A on p77 cf.

M, p79 cf

pp 76-79 of file removed

p33 of Telegram dated 15.7.52 from the D.M. South Kanara, regarding the term of the members of the Mangalore Bench court.

The D.M. has not yet replied to the memo at pp31-32 of, and in this telegram at p33 of, he requests that as the term of the members of the Mangalore Bench court expires on 18.7.52, the term may be extended by one month. This proposal may be accepted.

The draft order sent for my approval.

pp35-36 of (Issued as Roms. 2588 Home dated 17.7.52)

p37 of From the D.M. South Kanara, Ref C3 1205/52 dt. 14.7.52

p39 of From the D.M. South Kanara, Ref C3 1205/52 dt. 16.7.52

p41 of From the D.M. South Kanara, Ref C3 1205/52 dt. 16.7.52

p43 of From the D.M. South Kanara, Ref C3 1205/52 dt. 16.7.52

This file relates to the appointment of members to the First class Bench Court, Mangalore. The term of the existing members of the Bench Court has been extended upto 18.8.52 in G.O. Ms. 2588, Home, d/17.7.52. The D.M. has reported that Srimathi L. Fernandez, an existing member who has been proposed for reappointment has resigned her appointment as her health does not permit her to continue on the Bench and recommends that the resignation may be accepted. He has promised to submit proposals for the appointment of a substitute. Action may be taken with reference to this separately as and when proposals are received.

2. Regarding Sri S. Shankara Alva, President of the Bench Court who has been recommended for reappointment, the attention of the D.M. was invited to para 5 of his letter Ref.C.No. 10673/49-MHC, d/16.8.51 in connection with his misappropriation of the amounts by the clerk of that Bench Court, where he stated that there could be no doubt that it was the lamentable lack of supervision of the President (Sri Shankara Alva) and the Vice President that led to the misappropriation by the clerk ~~of the fine amounts in the Bench Court, Mangalore~~ and he was asked to state how in the circumstances he considered it appropriate to reappoint Sri Shankara Alva as Hony. Magte. and President of the Bench Court. The D.M. has replied that it is true that the misappropriation in the Bench Court was facilitated by lack of supervision by the President Sri Shankara Alva, but that he found ~~that~~ at that time Sri Shankara Alva was busy with civil litigation in connection with the management of his family properties and that he was too worried and too much occupied with private affairs to attend to the supervision of the work of the clerk. The D.M. also says that he (Shankara Alva) is a hardworking person with plenty of grit and that the Bench Court, Mangalore which is a very heavy court is working

satisfactorily chiefly on account of him. The misappropriation in the Bench Court took place between July and October 1949 and the D.M. says that his predecessor recommended the reappointment of Sri Shankara Alva as Hony. Magte. in the same Bench Court and he was reappoint in G.O.R. 1993, Home, d/19.7.50. The D.M. reports that during this period the work of Sri Shankara Alva has been satisfactory and that there is therefore no objection to his reappointment for another term.

3. It is submitted that at the time of the reappointment of Sri Shankara Alva was ordered in G.O. No. 1993, Home, d/19.7.50 accepting the D.M.'s recommendation, the misappropriation of fine amounts by the Bench Clerk of that court was under police investigation and it was only after the reappointment was ordered that it was reported that the question of recovering a part of the amount from the President who was also responsible by his lack of supervision for the embezzlement by the clerk was being considered. In the file relating to the misappropriation by the clerk of fine amounts of the Bench Court, the D.M., South Kanara has since been asked to state whether it can be proved that Sri Shankara Alva, the President, had knowledge of the instructions issued by the previous D.M. in 1935 permitting the continuance of the practice of the Head clerk of the Bench Court to keep the fine and cash in his custody pending remittance to the Sub Treasury, Mangalore, it being understood that the President and Vice-President were responsible for the fine money until it had been credited into the Sub Treasury. This information has been called for, with a view to see whether the President's liability could be established for recovering from him a part of the money of the Bench Court misappropriated by the clerk.

4. In the circumstances stated by the D.M. at S in para 2 above, it is for orders whether his view that there is no objection to reappoint Sri Shankara Alva as President of the Bench Court will be agreed to and if so, the 11 persons at 'A' on p.1 ante may be appointed; or

114559.

20/24/7.

whether the question of appointing Sri Shankara Alva may be decided after the reply of the D.M. referred to at 1 & 2 above may be awaited and the persons recommended by the D.M. at 'A' on p.1 ante except Sri Shankara Alva may be appointed for a period of two years from 19.8.1952 (as the term of the existing members exists up to 18.8.52.).

A

23.7.1952

23.7.52.

23/7/52

As above may be approved.

The Court can function as at present with two vice presidents.

24-7-52

B

JOINT SECRETARY TO GOVERNMENT 29 JUL 1952 HOME DEPARTMENT

Dist. Hqrs. Mangalore

29-7-52

SECRETARY TO GOVERNMENT 29 JUL 1952 HOME DEPARTMENT

with reference to the orders in Circulation above, the draft memo submitted is approved.

2.8.1952

2.8.52

2/8/52

(Issued as Memo no. 114559/C II/52-5 Home dt. 2.8.52) p(f) cf

From the D.M. South Kanara Ref c.no. C3. 1205/52 dated 7.8.52.

p49 if

5/11/8

Please see the orders in circulation at p 6 ante, the memo. to the D.M. South Kanara at pp 47-48 cf and his reply at p 49 cf

p 49 cf

2. The D.M. South Kanara has reported that Sri. K.P.J. Pidthu whom he consulted, states that he is not prepared to accept the appointment as the President of the Bench Court, Mangalore as he will be out of the district often and as he has a lot of his own private work to attend to. He also says that the question of submitting Sri. Pidthu's consent statement does not therefore arise.

In the circumstances, it is for orders whether the D.M. may be asked to suggest the name of some other suitable person for appointment as the President of the Mangalore Bench Court (in the place of Sri. Shankara Alva). Subject to orders, a draft memo is submitted for approval. The other members recommended by the D.M. will be appointed for a period of two years from 19.8.52 as ordered at ⓑ on p 6 ante.

Srimathi L. Fernandes since resigned (p p43 cf) S

10.8.52

11.8.1952

10/8/52

F.S

Re memo to Collector S Kanara

may issue

11/8/52

JS 11/8(Law)

11(Law). Approved K.P. Krishnan 11-8-52

SECRETARY TO GOVERNMENT 12 AUG 1952 HOME DEPARTMENT

JOINT SECRETARY TO GOVERNMENT 12 AUG 1952 HOME DEPARTMENT

A draft order is submitted with reference to 5 above and is for approval.

19.8.1952

19.8.52

p 53 cf (Issued as G.O. 2428 Home dt. 19.8.52)

8

The file now relates to the appointment of a President to the First class Bench Court at Mangalore. Orders have issued in G.O.R.t 2428 Home dated 19.8.52 appointing two Vice-Presidents and eight members to the Mangalore Bench Court. Please see the notes and orders in circulation at pArte. ✓ p53 ef

2. The D.M. has ~~reported~~ recommended Sri. Pejavar Vyasa Rao, B.A.M.L. (for appointment) in the place of Sri. S. Shankar Alva as Hony Magte and President of the First class Bench court, Mangalore Sri. P. Vyasa Rao is now Hony Spl. First class Magistrate sitting singly at Mangalore trying such of the cases arising in the jurisdiction of the S.P. Mangalore as are transferred to him. p55 ef

The D.M. says that Sri Vyasa Rao, though ~~is~~ 68 years ~~old~~ old, he is still energetic and active and does not look his age, that he has to sit only for two days in a week as Special First class Magistrate and that he is willing to sit for one or two days more in a week as President of the Bench Court, Mangalore if appointed. He is a B.A.M.L. and is stated to have got good experience in criminal work. It is also stated that he has worked as a Bench Clerk in the High Court before his appointment as District Munsif. The D.M. is of the view that he is a suitable person to be appointed as President of the First class Bench Court, Mangalore and recommends that he may be appointed President. Sri Vyasa Rao is not a member of any local board or municipality para 2, ibid -ibid

A

114559

Cf. proc. 2-54-52 A.

3. For orders whether the D.M's recommendations (at 'A' on page) may be accepted. If so, Sri Pejawar Vyasa Rao may be appointed for the period upto 18.8.54, the date upto which the other members have been appointed.

DS 30.8.52

A 2/9/52

Jayaram Jr.
2.9.1952

JS

JS (MP and D)

A — alone may be appointed

V Hanumantha Rao
2-9-52

M (Law) K.D. Ketkar
4-9-52

SECRETARY TO GOVERNMENT 4-SEP 1952 HOME DEPARTMENT

The draft order submitted is for approval.

DS 4.9.52.

A 5.9.52

M/S. 9.1952

(Issued as G.O.Rt. 2646 Home dated 5.9.52) (Issued separately)

JOINT SECRETARY TO GOVERNMENT 4-SEP 1952 HOME DEPARTMENT